

[Amended Complaint]

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1) ALLEN PERCY LEW BT-7263
(Name of Plaintiff) (Inmate Number)
P.O. Box 1000 Houtzdale, Pa. 16898-1000
(Address)

Judge: Mathew W. BRANN

(2) _____
(Name of Plaintiff) (Inmate Number)

(Address)

3:15-CV-1611
(Case Number)

(Each named party must be numbered,
and all names must be printed or typed)

CIVIL COMPLAINT

vs.
(1) JONES-SMUL Co. 2-10 Shift
(2) Dempsey-SMUL Co. 2-10 Shift
(3) Youch-SMUL Co. 2-10 Shift
(Names of Defendants)
Brown-SMUL Co. 2-10 Shift
(Each named party must be numbered,
and all names must be printed or typed) et al

FILED
SCRANTON

JUN 14 2017

PER [Signature]
DEPUTY CLERK

TO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS
☐ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

UN-available
↓

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:

1. What steps did you take? I filed DC-ADM 008
SEXUAL HARASSMENT
2. What was the result? Failed to timely
answer complaints.

- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS

- (1) Name of first defendant: JONES

Employed as SMU Co 1 at CAMP HILL
Mailing address: Box 200 CAMP HILL, PA 17006-0200

- (2) Name of second defendant: DEMPSY
Employed as SMU Co 1 at CAMP HILL
Mailing address: Box 200 CAMP HILL, PA 17006-0200

- (3) Name of third defendant: Youch
Employed as Sgt. SMU at CAMP HILL, PA 17006-0200
Mailing address: Box 200 CAMP HILL, PA 17006-0200

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. Defendant Jones at SMU Camp Hill between Feb 2015
and Sept 2015 subject Plaintiff Aleniso Grey Lew a Mental
Health Inmate Stability Diagnosis to Sexual Harassment
Terroristic Threats of Rape and Murder against Plaintiff
and Plaintiff family including actions of intimidation with
force such as deprivation of food, disciplinary report, use
of metal pipe, hitting cell door, destruction of mail and
deprivation of cleaning supplies, 2. PAPER WORK and clothing.

Defendant Jones said he is a Army Ranger sniper special forces and he would kill my sister family and me along with all of our kids and grandchildren, threats with metal pipe and hitting my cell door Jones would expose penis and give porn

2. Defendant Dempsey between Feb 2015 and Sept 2015 denied plaintiff meals, tampered with food, denied clothing, cleaning supplies, laundry, denied paperwork, destroyed mail, denied mail, would not collect mail and pinned on disciplinary report with Defendant Jones to punish plaintiff falsely. Defendant Dempsey actions with Jones were to retaliate on plaintiff for the sexual harassment complaints under PREA.

3. Defendant Yuch distributed cyberband pornography to plaintiff sexually harassed plaintiff and verbally abused plaintiff with violent threats, threats sexually while regularly depriving plaintiff of meals at SMU. Defendant between Feb 2015 and Sept 2015 also denied plaintiff paperwork, cleaning supplies, clothing as punishment for the reporting of sexual harassment.

4. Defendant Brown in SMU between Feb 2015 to Sept 2015 participated in denying plaintiff meals, tampering with food, denying clothing, cleaning supplies, paperwork as retaliation for the sexual harassment complaints on Defendant Jones.

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. Hold Defendants Violated 1st, 8, 14, 5th Amendment Rights U.S. Constitution Right To Free Sexual Harassment Right To Be Free From Sexual Harassment, Failure To Protect, Failure To De-Escalate, Cruel Unusual Punishment, Fabricated Misconduct Retaliation, Torture Cell Retaliation, (ADA) Disability Mental 2. Illness In Carceral Unit Torture Cell Environment. Enjoin Defendants to put Cameras in Blind Spots of Assaults and Sexual Abuses on inmates by SMU. Officers And Stop Torture Cell use.

3. Damages Punitive Monetary Compensation for Constitutional Violations being Clearly Established Law \$50,000 each defendant. Compensatory Damages for Sexual Harassment, Torture Cell Retaliation, Food Denial of Meals \$50,000 each defendant.

4. State Claim PA. Const. Art. 1 Sec. 7, 13, 20, 26 Violations.

Additional Defendants Names

LAUREL HARRY - SMU, Superintendent
FRANCIS - SMU Security LT.
HORNER - SMU, MAJOR
Shirley Smeal - Executive Deputy Secretary
John Wetzel - Secretary

5. Defendant Laurel Harry was aware of Defendant Dempsey and Defendant Youch history of sexual abuse complaints and prior removal from SMU and permitted their return to SMU and after Defendant Laurel Harry was aware of Plaintiff complaints on Defendants JONES, Dempsey, Youch, BROWN allowed the daily abuse of Plaintiff and failed to protect Plaintiff by separation/transfers.

6. Defendant Francis was informed to investigate abuses of Defendants JONES, Dempsey, Youch, BROWN and after Plaintiff complaints and interviews took NO action to protect Plaintiff from daily abuses allowing the continued food denial, food poisoning, denial clothing, paperwork, laundry, cleaning supplies, sexual harassment, threats, intimidation.

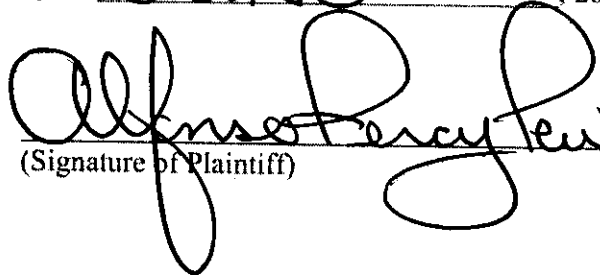
7. Defendant HORNER was told directly by Plaintiff of abuses on the top tier SMU as a result of retaliatory conduct Plaintiff shortly after PREA complaints was moved off top tier to bottom tier into a torture cell subjected to 24/7 constant light illumination constructed by outside constant punishment which is specially designed cage of cell door, special light cage and a concrete slab were Plaintiff remained.

8. Defendants Shirley Smeal and John Wetzel were aware of a culture of violence and sexual complaints in SMU including those written by Plaintiff to them requesting cameras on blind spots, separation from Defendants JONES, Dempsey, Youch, BROWN as well as other inmates complaints and they knew Plaintiff was mental health serious mental illness stability diagnosis code and allowed Plaintiff to be subject to the torture cell 24/7 abuses by Defendants.

9. Defendants Shelly ~~Meat~~ and John Wetzel (when having knowledge of Plaintiff inside Torture Cell and SMU on top of the PREA Complaints against Defendants Jones, Dempsy, Vouch, Brown as well as having been provided copies of pornographic contraband took NO action to discipline Defendants nor protect Plaintiff but rather allowed Plaintiff to be kept in SMU around Defendants Jones, Vouch, Dempsy, Brown inside Torture Cell under a custom, tradition, culture practice of SMU violence and sexual abuses by Staff on inmates reported assaults.
10. Plaintiff at all times herein SMU from Feb 2015 to Sept. 2015 was a mental health inmate with serious mental illness and subject to control unit cell was like the cell Plaintiff was put in after reporting sexual harassment.
11. Defendants Laurel Harey, Francis, Henge, Shelly ~~Meat~~ and John Wetzel never put in cameras in blind spots, never separated Plaintiff to protect Plaintiff, never disciplined Jones, Vouch, Dempsy, Brown for pornography contraband and failed to de-escalate sexual harassment and abusive environment on Plaintiff.
12. Plaintiff suffered physically and physiologically pain from meal deprivation and sleep in Torture Cell which has resulted into needing medications and Plaintiff needed therapist treatment after sexual harassment and terroristic threats of murder including trauma from penis being exposed to Plaintiff.
13. Defendants Jones, Dempsy, Vouch, Brown, Laurel Harey, Francis, Henge, Shelly ~~Meat~~ and John Wetzel from Feb. 2015 to Sept. 2015 allowed continuous abuse to occur after it was reported for months.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 9 day of JUNE, 2017.


(Signature of Plaintiff) BT-7263

NAME ALBERT LEACH JR
NUMBER BT-7263

P.O. BOX 1000

HOUTZDALE, PA 16698-1000

Hasler FIRST-CLASS MAIL
06/12/2017
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Inmate Mail

PA Department of Corrections

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